

SECOND REGULAR SESSION

[P E R F E C T E D]

SENATE COMMITTEE SUBSTITUTE FOR

SENATE BILL NO. 1036

90TH GENERAL ASSEMBLY

Reported from the Committee on Local Government and Economic Development, March 7, 2000, with recommendation that the Senate Committee Substitute do pass and be placed on the Consent Calendar.

Senate Committee Substitute adopted March 28, 2000.

Taken up March 28, 2000. Read 3rd time and placed upon its final passage; bill passed.

TERRY L. SPIELER, Secretary.

4558S.04P

AN ACT

To authorize the conveyance of state property located in Buchanan County, with an emergency clause.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section 1. The governor is hereby authorized to give, grant and convey to and for the use of the city of St. Joseph, an easement for the purposes of storm drainage on and across land owned by the state of Missouri located in Buchanan County which is currently part of the department of public safety being used as an army national guard armory. The real estate to be conveyed is more particularly described as follows:

A TRACT OF LAND FOR PERMANENT EASEMENT, COMPOSED OF A PART OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 57 NORTH, RANGE 35 WEST, BUCHANAN COUNTY, MISSOURI, DESCRIBED AS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 11, THENCE ON A BEARING OF SOUTH 00 DEGREES 02 MINUTES 31 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 50.00 FEET TO A POINT, SAID POINT ALSO BEING ON THE EXTENSION OF THE SOUTH RIGHT-OF-WAY LINE OF FARAON STREET, THENCE NORTH 89 DEGREES 55 MINUTES 11 SECONDS EAST ALONG THE SOUTH RIGHT-OF-WAY LINE OF FARAON STREET AND SAID EXTENSION A DISTANCE OF 76.29 FEET TO A POINT, SAID POINT ALSO

BEING THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 55 MINUTES 11 SECONDS EAST ALONG THE SOUTH RIGHT-OF-WAY LINE OF FARAON STREET A DISTANCE OF 35.34 FEET TO A POINT, THENCE SOUTH 44 DEGREES 53 MINUTES 20 SECONDS WEST A DISTANCE OF 70.39 FEET TO A POINT, THENCE NORTH 00 DEGREES 40 MINUTES 47 SECONDS WEST A DISTANCE OF 35.01 FEET TO A POINT, THENCE NORTH 44 DEGREES 53 MINUTES 20 SECONDS EAST A DISTANCE OF 20.91 FEET TO THE POINT OF BEGINNING. CONTAINING 1141 SQUARE FEET OR 0.026 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON MISSOURI STATE PLANE GRID NORTH.

Section 2. 1. The governor is hereby authorized and empowered to give, grant and convey to and for the use of the city of St. Joseph, an easement, for the purposes of constructing of and maintaining a street, across lands owned by the state of Missouri and used by the department of public safety in Buchanan County. The easement is more particularly described as follows:

A TRACT OF LAND FOR TEMPORARY CONSTRUCTION EASEMENT, COMPOSED OF A PART OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 57 NORTH, RANGE 35 WEST, BUCHANAN COUNTY, MISSOURI, DESCRIBED AS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 11, THENCE ON A BEARING OF NORTH 89 DEGREES 55 MINUTES 11 SECONDS EAST ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER A DISTANCE OF 50.00 FEET TO A POINT, SAID POINT ALSO BEING THE EXTENSION OF THE EAST RIGHT-OF-WAY LINE OF WOODBINE ROAD, THENCE SOUTH 00 DEGREES 02 MINUTES 31 SECONDS WEST ALONG THE EXTENSION OF THE EAST RIGHT-OF-WAY LINE OF WOODBINE ROAD A DISTANCE OF 283.12 FEET TO A POINT, SAID POINT ALSO BEING THE POINT OF BEGINNING, THENCE SOUTH 00 DEGREES 02 MINUTES 31 SECONDS WEST A DISTANCE OF 246.41 FEET TO A POINT, THENCE SOUTH 89 DEGREES 57 MINUTES 35 SECONDS EAST A DISTANCE OF 30.18 FEET TO A POINT, THENCE NORTH 00 DEGREES 02 MINUTES 25 SECONDS EAST A DISTANCE OF 349.75 FEET TO A POINT, THENCE NORTH 9 DEGREES 24 MINUTES 41 SECONDS EAST A DISTANCE OF 71.01 FEET TO A POINT, THENCE SOUTH 70 DEGREES 02 MINUTES 13 SECONDS EAST A DISTANCE OF 89.88 FEET TO A POINT, THENCE NORTH 54 DEGREES 06 MINUTES 58 SECONDS EAST A DISTANCE OF 123.22 FEET TO A POINT, THENCE SOUTH 86 DEGREES 41 MINUTES 48 SECONDS EAST A DISTANCE OF

100.18 FEET TO A POINT, THENCE NORTH 83 DEGREES 40 MINUTES 20 SECONDS EAST A DISTANCE OF 99.71 FEET TO A POINT, THENCE SOUTH 80 DEGREES 11 MINUTES 46 SECONDS EAST A DISTANCE OF 202.78 FEET TO A POINT, THENCE NORTH 89 DEGREES 52 MINUTES 30 SECONDS EAST A DISTANCE OF 335.30 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF INTERSTATE 29, THENCE NORTH 06 DEGREES 17 MINUTES 44 SECONDS WEST ALONG THE WEST RIGHT-OF-WAY LINE OF INTERSTATE 29 A DISTANCE OF 48.42 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF FARAON STREET, THENCE SOUTH 89 DEGREES 55 MINUTES 11 SECONDS WEST ALONG THE SOUTH RIGHT-OF-WAY LINE OF FARAON STREET A DISTANCE OF 893.31 FEET TO A POINT, THENCE SOUTH 44 DEGREES 53 MINUTES 20 SECONDS WEST A DISTANCE OF 70.39 FEET TO A POINT. THENCE SOUTH 00 DEGREES 40 MINUTES 48 SECONDS EAST A DISTANCE OF 130.01 FEET TO A POINT, THENCE SOUTH 14 DEGREES 21 MINUTES 48 SECONDS WEST A DISTANCE OF 55.05 FEET TO THE POINT OF BEGINNING. CONTAINING 49789 SQUARE FEET OR 1.143 ACRES, MORE OR LESS.

BEARINGS BASED ON MISSOURI STATE PLANE GRID NORTH.

2. The temporary construction easement granted by this section shall expire upon the completion of construction.

Section 3. The governor is hereby authorized to give, grant and convey to the city of St. Joseph, certain property in Buchanan County which is currently part of the department of public safety being used as an army national guard armory. The real estate to be conveyed is more particularly described as follows:

A TRACT OF LAND FOR PERMANENT STREET RIGHT-OF-WAY, COMPOSED OF A PART OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 57 NORTH, RANGE 35 WEST, BUCHANAN COUNTY, MISSOURI, DESCRIBED AS: COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 11, THENCE ON A BEARING OF NORTH 89 DEGREES 55 MINUTES 11 SECONDS EAST ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER A DISTANCE OF 50.00 FEET TO A POINT, SAID POINT ALSO BEING THE EXTENSION OF THE EAST RIGHT-OF-WAY LINE OF WOODBINE ROAD, THENCE SOUTH 00 DEGREES 02 MINUTES 31 SECONDS WEST ALONG THE EXTENSION OF THE EAST RIGHT-OF-WAY LINE OF WOODBINE ROAD A DISTANCE OF 50.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF FARAON STREET, SAID POINT ALSO BEING THE POINT OF BEGINNING, THENCE SOUTH 00 DEGREES 02 MINUTES 31

SECONDS WEST ALONG THE EAST RIGHT-OF-WAY LINE OF WOODBINE ROAD A DISTANCE OF 233.12 FEET TO A POINT, THENCE NORTH 14 DEGREES 21 MINUTES 48 SECONDS EAST A DISTANCE OF 55.05 FEET TO A POINT, THENCE NORTH 00 DEGREES 40 MINUTES 48 SECONDS WEST A DISTANCE OF 165.02 FEET TO A POINT, THENCE NORTH 44 DEGREES 53 MINUTES 20 SECONDS EAST A DISTANCE OF 20.91 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF FARAON STREET, THENCE SOUTH 89 DEGREES 55 MINUTES 11 SECONDS WEST ALONG THE SOUTH RIGHT-OF-WAY LINE OF FARAON STREET A DISTANCE OF 26.29 FEET TO THE POINT OF BEGINNING. CONTAINING 2,718 SQUARE FEET OR 0.062 ACRES, MORE OR LESS.

BEARINGS BASED ON MISSOURI STATE PLANE GRID NORTH.

Section 4. The board of regents of Missouri Western State College, pursuant to subsection 13 of section 37.005, RSMo, is hereby authorized and empowered to give, grant and convey to the state highways and transportation commission, certain property in Buchanan County which is currently part of the Missouri Western State College. The real estate to be conveyed is more particularly described as follows:

A TRACT OF LAND FOR PERMANENT STREET RIGHT-OF-WAY, COMPOSED OF A PART OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 57 NORTH, RANGE 35 WEST, BUCHANAN COUNTY, MISSOURI, DESCRIBED AS: COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 11, THENCE ON A BEARING OF SOUTH 89 DEGREES 55 MINUTES 11 SECONDS WEST ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER A DISTANCE OF 842.47 FEET TO A POINT, THENCE SOUTH 0 DEGREES 04 MINUTES 48 SECONDS EAST A DISTANCE OF 75.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF FARAON STREET, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE SOUTH 55 DEGREES 38 MINUTES 05 SECONDS WEST A DISTANCE OF 217.09 FEET TO A POINT, THENCE SOUTH 89 DEGREES 55 MINUTES 12 SECONDS WEST A DISTANCE OF 57.73 FEET TO A POINT, THENCE NORTH 81 DEGREES 16 MINUTES 43 SECONDS WEST A DISTANCE OF 258.01 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF INTERSTATE 29, THENCE NORTH 6 DEGREES 17 MINUTES 44 SECONDS WEST ALONG THE EAST RIGHT-OF-WAY LINE INTERSTATE 29 A DISTANCE OF 30.05 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF FARAON STREET, THENCE NORTH 83 DEGREES 49 MINUTES 09 SECONDS EAST ALONG THE SOUTH RIGHT-OF-WAY LINE OF FARAON STREET A DISTANCE OF 498.14 FEET TO THE POINT OF

BEGINNING. CONTAINING 31284 SQUARE FEET OR 0.718 ACRES, MORE OR LESS.

Section 5. The board of regents of Missouri Western State College, pursuant to subsection 13 of section 37.005, RSMo, is hereby authorized and empowered to give, grant and convey to the state highways and transportation commission, certain property in Buchanan County which is currently part of the Missouri Western State College. The real estate to be conveyed is more particularly described as follows:

A TRACT OF LAND FOR PERMANENT EASEMENT, COMPOSED OF A PART OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 57 NORTH, RANGE 35 WEST, BUCHANAN COUNTY, MISSOURI, DESCRIBED AS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 11, THENCE ON A BEARING OF SOUTH 89 DEGREES 55 MINUTES 11 SECONDS WEST ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER A DISTANCE OF 1021.84 FEET TO A POINT, THENCE SOUTH 0 DEGREES 04 MINUTES 48 SECONDS EAST A DISTANCE OF 197.29 FEET TO A POINT SAID POINT ALSO BEING THE POINT OF BEGINNING, THENCE SOUTH 30 DEGREES 04 MINUTES 07 SECONDS EAST A DISTANCE OF 34.15 FEET TO A POINT, THENCE SOUTH 89 DEGREES 55 MINUTES 12 SECONDS WEST A DISTANCE OF 57.73 FEET TO A POINT, THENCE NORTH 30 DEGREES 04 MINUTES 07 SECONDS WEST A DISTANCE OF 34.15 FEET TO A POINT, THENCE NORTH 89 DEGREES 55 MINUTES 12 SECONDS EAST A DISTANCE OF 57.73 FEET TO THE POINT OF BEGINNING. CONTAINING 1707 SQUARE FEET OR 0.0392 ACRES, MORE OR LESS.

BEARINGS BASED ON MISSOURI STATE PLANE GRID NORTH.

Section 6. The governor is hereby authorized to bargain, sell and convey land owned by the state of Missouri located in Buchanan County which is currently part of the department of mental health. The property to be conveyed is more particularly described as follows:

DESCRIPTION OF TRACT "A": A TRACT OF LAND IN THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 57 NORTH, RANGE 35 WEST, ST. JOSEPH, BUCHANAN COUNTY, MISSOURI. BEING MORE PARTICULARLY DESCRIBED AS: BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 3, THENCE NORTH 89°23'10" WEST, ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 3, 662.20 FEET TO THE SOUTHWEST CORNER OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 3; THENCE LEAVING SAID SOUTH LINE, NORTH 00°21'09" EAST, ALONG THE

WEST LINE OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 3, 30.00 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF FREDERICK AVENUE, AND THE TRUE POINT OF BEGINNING; THENCE NORTH 89°23'10" WEST, ALONG THE NORTH RIGHT-OF-WAY LINE OF FREDERICK AVENUE, 100.00 FEET; THENCE NORTH 00°21'09" EAST, PARALLEL WITH THE WEST LINE OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 3, 1288.54 FEET TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 3; THENCE SOUTH 89°26'03" EAST, ALONG SAID NORTH LINE, 100.00 FEET TO THE NORTHWEST CORNER OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 3; THENCE SOUTH 00°21'09" WEST, ALONG THE WEST LINE OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 3, 1288.63 FEET TO THE TRUE POINT OF BEGINNING. CONTAINING 2.96 ACRES MORE OR LESS AND BEING SUBJECT TO ALL PUBLIC ROADS, EASEMENTS, RESERVATIONS, RESTRICTIONS, COVENANTS AND CONDITIONS, IF ANY, NOW OF RECORD.

DESCRIPTION OF TRACT "B": A TRACT OF LAND IN THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 57 NORTH, RANGE 35 WEST, ST. JOSEPH, BUCHANAN COUNTY, MISSOURI. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 3, THENCE SOUTH 00°27'17" WEST, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 3, 1319.18 FEET TO THE SOUTHEAST CORNER OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 3; THENCE LEAVING SAID EAST LINE NORTH 89°26'03" WEST, ALONG THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 3, 20.00 FEET TO THE WESTERLY RIGHT-OF-WAY OF 36TH STREET AND THE TRUE POINT OF BEGINNING; THENCE CONTINUED NORTH 89°26'03" WEST, ALONG SAID SOUTH LINE, 744.55 FEET; THENCE LEAVING SAID SOUTH LINE NORTH 00°21'09" EAST, 38.54 FEET; THENCE SOUTH 89°28'55" EAST, PARALLEL WITH THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 3, 424.62 FEET TO THE SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO PRIMARY CARE GROUP, L.L.C., A LIMITED LIABILITY COMPANY BY DEED RECORDED IN BOOK 1972 AT PAGE 301 IN THE OFFICE OF THE RECORDER OF DEEDS IN BUCHANAN COUNTY, MISSOURI; THENCE SOUTH 89°28'55" EAST, ALONG THE SOUTH LINE OF

SAID PRIMARY CARE GROUP TRACT, 320.00 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF 36TH STREET; THENCE SOUTH 00°27'17" WEST, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, 39.16 FEET TO THE TRUE POINT OF BEGINNING. CONTAINING 0.66 ACRES MORE OR LESS AND BEING SUBJECT TO ALL PUBLIC ROADS, EASEMENTS, RESERVATIONS, RESTRICTIONS, COVENANTS, AND CONDITIONS, IF ANY, NOW OF RECORD.

Section 7. Consideration for the conveyance pursuant to section 6 shall be as negotiated by the office of administration and interested parties.

Section 8. The attorney general shall approve as to form of the instruments of conveyance for sections 1 to 7.

Section A. Because of the need to effect certain land transfers, sections 1 to 8 of this act are deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and are hereby declared to be an emergency act within the meaning of the constitution, and sections 1 to 8 of this act shall be in full force and effect upon its passage and approval.

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